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26 JUL 2006

ERICSSON INC.
6300 LEGACY DRIVE
M/S EVR C11
PLANO, TX 75024

In re Application of ASCHERMANN :
U.S. Application No.: 10/502,528 :
PCT Application No.: PCT/EP02/00996 :
Int. Filing Date: 30 January 2002 :
Priority Date Claimed: (none) : DECISION
Attorney Docket No.: P14957-US1 :
For: METHOD AND SYSTEM FOR :
TRANSMISSION OF CARRIER SIGNALS :
BETWEEN FIRST AND SECOND :
ANTENNA NETWORKS :

This is in response to applicant's "Petition to Withdraw Holding of Abandonment Under 37 C.F.R. 1.181" filed 26 June 2006.

BACKGROUND

On 30 January 2002, applicant filed international application PCT/EP02/00996. A copy of the international application was communicated to the USPTO from the International Bureau on 21 August 2003. The thirty-month period for paying the basic national fee in the United States expired on 30 July 2004.

On 26 July 2004, applicant filed national stage papers in the United States Designated/Elected Office (DO/EO/US). The submission was accompanied by, *inter alia*, the basic national fee required by 35 U.S.C. 371(c)(1).

On 17 December 2004, the DO/EO/US mailed a Notification of Missing Requirements Under 35 U.S.C. 371 (Form PCT/DO/EO/905), which indicated that an oath or declaration in compliance with 37 CFR 1.497 must be filed.

On 04 January 2005, applicant purportedly filed an executed declaration via facsimile.

On 12 June 2006, the DO/EO/US mailed a Notification of Abandonment (Form PCT/DO/EO/909), which indicated that the application is abandoned for failure to timely respond to the Notification of Missing Requirements.

On 26 June 2006, applicant filed the present petition under 37 CFR 1.181.

DISCUSSION

The petition includes a copy of a USPTO-generated auto-reply facsimile transmission which sufficiently demonstrates that the declaration was filed on the date alleged.

CONCLUSION

For the reasons above, the petition under 37 CFR 1.181 is GRANTED.

The Notification of Abandonment (Form PCT/DO/EO/909) mailed 12 June 2006 is hereby VACATED.

The application has an International Filing Date under 35 U.S.C. 363 of 30 January 2002, and a date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) of 04 January 2005.

This application is being forwarded to the United States Designated/Elected Office (DO/EO/US) for further processing in accordance with this decision.

Bryant Tung

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